

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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SJR MARINE (L) LTD.,

Plaintiff,

-against-

09 Civ. 4586 (LAK)

SUPERIOR ENERGY SERVICES L.L.C.,

Defendant.  
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**ORDER**

LEWIS A. KAPLAN, *District Judge.*

Plaintiff's application for an order authorizing the issue of process of maritime attachment and garnishment is denied on the ground that plaintiff has failed to make out a *prima facie* maritime claim. It alleges breach of a contract for the sale of a ship, which from time immemorial has not been a maritime claim. *E.g., The Ada*, 250 Fed. 194 (2d Cir. 1918). I am bound by *The Ada* unless and until the Second Circuit overrules it or its authority is manifestly undermined by the Supreme Court, neither of which has occurred. Plaintiff's attempt to distinguish it is unpersuasive, substantially for the reasons set out in defendant's memorandum.

SO ORDERED.

Dated: June 19, 2009



Lewis A. Kaplan  
United States District Judge

